

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSE MORALES,)	
Plaintiff)	
)	
vs.)	Civil Action No. 07-1527
)	Judge Joy Flowers Conti/
DOCTOR B. JIN, Surgeon; DOCTOR)	Chief Magistrate Judge Amy Reynolds Hay
STANLEY FALOR, Medical Doctor,)	
Defendants)	

ORDER

AND NOW, this 11th day of March, 2010, after plaintiff Jose Morales (the “Plaintiff”) filed an action in the above-captioned case, and after Motions for Summary Judgment were filed the Plaintiff and defendants Doctor B. Jin, and Doctor Stanley Falor (collectively “Defendants”), and after Plaintiff filed a Motion to Withdraw the suit without prejudice, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until March 8, 2010, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge’s Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that Defendants’ Motion for Summary Judgment [58], is granted;

IT IS FURTHER ORDERED that Plaintiff’s Motion for Summary Judgment [54], is denied;

IT IS FURTHER ORDERED that Plaintiff’s Motion to Withdraw the suit without

prejudice, [62], is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

/s/ Joy Flowers Conti
JOY FLOWERS CONTI
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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All counsel of record by Notice of Electronic Filing